



Mobius Legal Group, PLLC

July 2, 2013

VIA ELECTRONIC FILING (ECFS)

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation

- 1) *Tribal Mobility Fund Phase I Auction Scheduled for October 24, 2013* (AU Docket No. 13-53)
- 2) *Petition of NTUA WIRELESS, LLC for Designation as an Eligible Telecommunications Carrier Pursuant to Section 214(e)(6) of the Communications Act of 1934, as Amended on the Navajo Nation* (WC Docket No. 09-197)

Dear Ms. Dortch:

Pursuant to the Commission's *ex parte* rules (47 C.F.R. §1.1206), notice is hereby given that on Monday, July 1, 2013, Brian Tagaban, Executive Director of the Navajo Nation Telecommunications Regulatory Commission (NNTRC), met with Geoffrey Blackwell, Chief, Office of Native Affairs and Policy (ONAP).

Mr. Tagaban first reiterated the position of the NNTRC in comments filed May 10, 2013, in Docket 13-53, *Tribal Mobility Fund Phase I Auction Scheduled for October 24, 2013*, stressing the importance of bringing service to the Eastern Agency (New Mexico) of the Navajo Nation. Mr. Tagaban noted that while NNTRC treats all carriers on Navajo equally, the NNTRC supports the comments and reply comments filed by Smith Bagley, Inc. ("SBI"), and the drive-test measurements taken by SBI that indicate that large sections of the Eastern Agency do not have access to reliable 3G service, countering the claims made by AT&T that AT&T provides service to substantially all of this area based on its own theoretical propagation models.


Mr. Tagaban next discussed the pending Petition of NTUA Wireless, LLC, seeking to have the FCC designate it an Eligible Telecommunications Carrier (ETC) within the exterior borders of the Navajo Nation. Mr. Tagaban discussed the prior support of the NNTRC for the Petition, but also raised serious concerns about the structure and control of NTUA Wireless, and NTUA Wireless' failure to cooperate timely and fully with NNTRC's requests for additional information on these issues. Mr. Tagaban raised concerns as to whether NTUA Wireless' conduct in its dealings with NNTRC would negatively impact the ability of the NNTRC to conduct its regulatory

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oversight of NTUA Wireless' activities on the Navajo Nation, as specified in Navajo Law. Mr. Tagaban indicated that the NNTRC is now considering whether to continue its support of NTUA Wireless' efforts to be designated an ETC on the Navajo Nation.

Respectfully Submitted,

NAVAJO NATION TELECOMMUNICATIONS
REGULATORY COMMISSION



James E. Dunstan

Its Attorney

Cc: Geoffrey Blackwell